



Report to: Development Services Committee

Report Date: March 18, 2019

SUBJECT: PRELIMINARY REPORT
New World Centre (Markham) Development Corporation
100-110 Clegg Road (south side of Highway 7, west of South
Town Centre Boulevard)
Applications for zoning by-law amendment and draft plan of
subdivision to permit a mixed-use high density development
Markham Centre (Ward 8)
File No. ZA/SU 18 180462

PREPARED BY: Scott Heaslip, M.C.I.P., R.P.P., ext. 3140
Senior Development Coordinator, Central District

REVIEWED BY: Richard Kendall, M.C.I.P., R.P.P., ext. 6588
Manager, Central District

RECOMMENDATION:

That the report titled "PRELIMINARY REPORT, New World Centre (Markham) Development Corporation, 100-110 Clegg Road (south side of Highway 7, west of South Town Centre Boulevard) Applications for zoning by-law amendment and draft plan of subdivision to permit a mixed-use high density development, Markham Centre (Ward 8), File No. ZA/SU 18 180462;" be received.

EXECUTIVE SUMMARY:

Not applicable.

PURPOSE:

This report provides preliminary information on the subject applications. It contains general information regarding applicable Official Plan or other policies and issues/concerns identified by staff from our preliminary review of the proposed development, and should not be taken as staff's opinion or recommendation on the application.

BACKGROUND:

Property (Figures 1 and 3)

The subject property is located south of Highway 7, west of South Town Centre Boulevard.

The property statistics are as follows:

- Area – 4.39 ha (10.85 acres)
- Frontage:
 - 215 metres (705 feet) on Highway 7
 - 285 metres (935 feet) on Clegg Road

There are currently two industrial buildings fronting on Clegg Road in the south-west portion of the property. The remainder of the property is vacant. There is no significant vegetation on the property other than landscape trees and shrubs associated with the industrial buildings.

Surrounding uses (Figure 3):

- To the north is Highway 7. The lands on the north side of Highway 7 directly opposite the subject property are vacant. These lands are zoned for retirement home, nursing home and office uses. Further north are a public park and existing townhouse developments fronting on Cox Boulevard.
- To the north-east is a vacant property at the south-west corner of Highway 7 and south Town Centre Boulevard. This property has zoning for a mixed-use development accommodating hotel, commercial and residential uses. There is an existing VIVA transit station on Highway 7 at South Town Centre Boulevard.
- To the east is a small public park and the Majestic Court condominium apartment building.
- To the south is Clegg Road. There are three industrial buildings and a Hydro One office building on the south side of Clegg Road, opposite the subject property.
- To the west is a Hydro One transmission corridor, beyond which is Rodick Road.

Process to date:

- The subject applications were deemed complete by staff on November 14, 2018.
- The preliminary report is to be considered by Development Services Committee on the current date (March 18, 2019).

Next Steps:

- Staff will continue to discuss the issues outlined in this report with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

Proposal [see figures 4 (site plan) and 5/6/7 (perspectives)]

The applicant is seeking an amendment to the City's Zoning By-laws and approval of a draft plan of subdivision to permit the subject property to be developed as follows:

- Two new north-south local roads extending between Highway 7 and Clegg Road.
- Three "strata park" blocks totaling 0.49 ha. (1.2 acres). (strata parks are public parks with underground parking garages serving the adjoining developments beneath)
- Two 16 storey mixed-use buildings fronting on Highway 7. The westerly mixed-use building includes three levels of office use lining the above ground parking

garage, along the Highway 7 frontage. The remaining portions of the lower floors and all of the floors above accommodate residential uses. The easterly mixed-use building contains one level of retail use along the Highway 7 frontage of the building. The remaining portions of the ground floor level and all of the other floors accommodate residential uses.

- Three residential buildings fronting on Clegg Road. The westerly building includes a 34 storey tower and 6 and 8 level podiums. The middle building includes a 37 storey tower and 8 level podiums. The easterly building includes two 16 storey towers and a 6 storey podium.
- A total of 2200 residential units.
- Approximately 4132 square metres (44,476 square feet) of office uses.
- Approximately 1800 square metres (19,375 square feet) of retail uses.
- A total of 2,745 parking spaces, located in a combination of underground parking garages (up to 4 levels) and above ground structures within the buildings (up to 5 levels).
- A total site density of 5.82 FSI (Floor Space Index is the ratio of the gross floor area of all buildings on a lot to the lot area)

The applicant has applied to the City for the following:

- An amendment to the City's zoning by-laws to permit the proposed use and built form program.
- A draft plan of subdivision to permit the streets, development blocks and park blocks to be laid out as proposed.

The applicant has not applied for site plan approval for the proposed development.

Provincial Policy Conformity

When considering a development application staff assesses whether proposals are consistent with the Provincial Policy Statement (2014) and in conformity with relevant Provincial Plans, which in this case is the Growth Plan for the Greater Golden Horseshoe (2017). Matters still being assessed as part of the review of the zoning by-law amendment application include:

- Evaluating how the proposed development conforms with building strong healthy communities and managing growth:
 - a) by supporting the achievement of complete communities;
 - b) ensuring that there are adequate and accessible public and open spaces, parks and trails;
 - c) planning for sewage, water services and stormwater management;
 - d) providing transportation systems which are safe and energy efficient and facilitate the movement of people and goods and are appropriate to address projected needs; and
 - e) assessing the proposal with respect to the range (eg. type, sizes, affordability and accessibility) of housing proposed.

Region of York Official Plan

The subject property is designated 'Urban Area' in the York Region Official Plan, 2010. Markham centre is also identified as a "Regional Centre."

This designation provides for the proposed residential development.

City of Markham Official Plan

The subject property is designated as follows in the City's 2014 Official Plan (as partially approved on November 24, 2017 and further updated on April 9, 2018) ("2014 Official Plan"):

- The north-west portion is designated "Business Park Office Priority Employment." Lands in this designation are intended to be used for major office development.
- The south-west portion (the area occupied by the existing industrial buildings) is designated "Business Park Employment." Lands in this designation are intended to accommodate prestige industrial and office uses.
- The remainder of the property is designated "Mixed Use High Rise." Lands in this designation are intended to be used for a mix of residential, office, retail, restaurant and service uses in multi-storey street related buildings.
- The subject lands are also identified as being within a "Regional Centre" (Markham Centre).

Markham Centre is identified as a "Regional Centre." Regional Centres are planned to accommodate the highest concentration and greatest mix and intensity of uses and activities in Markham.

The 2014 Official Plan provides that until approval of an updated secondary plan for Markham Centre pursuant to the policies of the new Official Plan, the policies of OPA 21 (the current Markham Centre Secondary Plan) continue to apply.

The entire subject property is designated "Community Amenity Area – Major Urban Place" in the Markham Centre Secondary Plan (Amendment No. 21 to the 1987 Official Plan). The policy direction for lands in the "Major Urban Place" designation is for development with a high concentration and intensity of residential, commercial, employment and supporting uses, with height generally contemplated in the range of 8 storeys.

The secondary plan, however, provides that the street and block pattern, detailed distribution of land uses (including parkland, if required) types, heights and locations of buildings, views and focal points, street and landscape components, infrastructure requirements, etc. are confirmed through Precinct Plan studies, which are approved by Council prior to development occurring. The applicant has not yet submitted a formal Precinct Plan.

Zoning

The subject property is zoned "Markham Centre Downtown One" (MC-D1) by By-law 2004-196, as amended. This zoning permits a range of employment uses in buildings having maximum heights ranging between 25.2 metres (83 feet) (the equivalent of approximately 8 residential storeys) and 53 metres (174 feet) (the equivalent of approximately 18 residential storeys). The zoning does not permit any residential uses.

OPTIONS/ DISCUSSION:

The following is a brief summary of issues raised to date:

Secondary Plan Update: The City has initiated a comprehensive review of the Markham Centre Secondary Plan (OPA 21). This review will facilitate the adoption of a new secondary plan for Markham Centre pursuant to the 2014 Official Plan. Staff are currently in the process of retaining a consulting team to undertake the review, which will focus on the following matters:

- Update the development projections for employment, commercial, service and residential uses.
- Update the urban design policies, with specific focus on the public realm, built form and open space.
- Update the community service requirements, with specific focus on schools and community facilities.
- Update the transportation requirements, including incorporating revised transit alignments and street and block pattern.
- Update the infrastructure requirements, including sanitary sewer, storm sewer and water facilities.

Use Mix: The development is proposed to be primarily residential with the exception of modest office and retail components (representing less than 3% of the total floor area of the development) along the Highway 7 frontage. Given the mixed-use designation in the Secondary Plan and the direction in the City's 2014 Official Plan, staff have requested the applicant to explore opportunities to incorporate a significant component of non-residential uses into the development.

Compatibility with adjacent developments: The concept plans submitted with the application (Figures 4 and 5) show tower heights of up to 37 storeys. The built form relationship to the existing and approved developments and existing and proposed City parks in the vicinity will need to be evaluated. The applicant has submitted shadow and wind studies with the applications. Shadow and wind impact will need to be analyzed and confirmed to be acceptable before any development scenario is approved.

Traffic impact: The applicant submitted a transportation report with the application. It has been circulated to City and York Region transportation staff for review. The transportation impact of the proposed development, which is proposing a significant number of residential units, should be evaluated in the context of the comprehensive

secondary plan update. The study should also be updated to evaluate the potential introduction of a signalized intersection on Highway 7 opposite Circa Drive.

Parkland: The 2200 residential units proposed by the applicant would generate a requirement for over 5 hectares (16 acres) of parkland based on current City standards. In high density communities such as Markham Centre, parkland dedication is satisfied through a combination of the dedication of land and the payment of “cash-in-lieu” of land dedication. The applicant is proposing to satisfy their parkland requirement through the combination of the dedication of 0.49 ha. (1.2 acres) of “strata park” (strata parks are public parks with underground parking garages serving the adjoining developments beneath) and the payment of “cash-in-lieu.” Staff have advised the applicant that the proposed narrow east-west linear parks are of no programming value to the City and would not be accepted as parkland. Given the significant number of residential units being proposed, staff have advised the applicant that the proposed location and area of the other strata park block are not acceptable and that a larger consolidated non-strata park better suited to programming requirements would be more appropriate. The City is currently reviewing its policies regarding “strata parks.” The applicant should be advised that the City may decide not to accept any further conveyances of “strata park” and that in the event the City does continue to accept “strata park,” the applicant should not expect to receive full credit for it.

Potential Future School Site: In discussions with the York Region District School Board, staff have been advised that the Board may require an additional elementary school site in the west portion of Markham Centre to accommodate the anticipated number of students. The subject property is a potential location for this school site. School requirements are a component of the upcoming secondary plan update and will also need to be evaluated in conjunction with these applications.

Precinct Plan: In Markham Centre, street, block and lot pattern, driveway locations, height and location of buildings, views and focal points, and street and landscape components are addressed in “precinct plans.” Precinct plans, which apply to smaller geographic areas within Markham Centre, are prepared by the landowners for approval by Council. They guide subsequent zoning, subdivision and site plan approvals. The applicant will be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to consideration of the requested subdivision and zoning by-law amendment.

Airport Height Restrictions: The Zoning Order for the Buttonville Airport limits buildings on the subject lands to a maximum height of 238 metres above sea level. This accommodates approximately 16 storeys at this location. Several of the proposed buildings are substantially taller than permitted by the Zoning Order. Any zoning regulations permitting building heights in excess of the maximum height permitted by the airport zoning order would need to be subject to a holding provision to ensure that taller buildings are not constructed without Transport Canada and Nav Canada approval of the additional height.

Section 37 Contribution: The proposed development would generate a requirement for a Section 37 contribution. In accordance with established City practice, the zoning by-law amendment would require execution of a Section 37 Agreement, which would include a public art component, prior to the removal of a holding provision from the zoning.

Resident concerns: The Clerks Department received several emails from area residents in response to the notice of complete application. These emails requested additional information, express general concerns, or suggest that additional parkland should be provided.

Conclusions

The subject development, which proposes significant residential density and building heights at a location well removed from the future mobility hub (Unionville Go Station), should more appropriately be considered in context of the comprehensive secondary plan review. Staff anticipate that the new secondary plan will be completed in 2020.

As outlined above, in addition to the outstanding precinct plan, there are a number of significant issues, some related to the Secondary Plan update and some specific to the proposed development, which need to be addressed before it would be appropriate to schedule a public meeting to consider the requested subdivision and zoning by-law amendment.

The applicant will also be required to prepare a formal precinct plan for presentation to, and approval by, Council prior to Council considering the requested subdivision and zoning by-law amendment.

Staff will continue to discuss these issues with the applicant and will report back to Committee regarding the scheduling of a public meeting when sufficient progress has been made.

Staff will also arrange to have the proposed development presented to the Markham Centre Advisory and the City's Architectural Review Panel.

ALIGNMENT WITH STRATEGIC PRIORITIES:

The proposed development is to be evaluated in the context of growth management, environmental and strategic priorities of Council.

BUSINESS UNITS CONSULTED AND AFFECTED:

The applications have been circulated to various internal departments and external agencies and are currently under review.

RECOMMENDED BY:



Ron Blake, M.C.I.P., R.P.P.
Senior Development Manager
Planning and Urban Design



Arvin Prasad, M.C.I.P.; R.P.P.
Commissioner of Development Services

ATTACHMENTS:

- Figure 1 - Location Map
- Figure 2 - Area Context/Zoning
- Figure 3 - Air Photo
- Figure 4 - Site plan
- Figure 5 - Aerial Perspective
- Figure 6 - Perspective viewed from Highway 7
- Figure 7 - Perspective viewed from interior of site

AGENT:

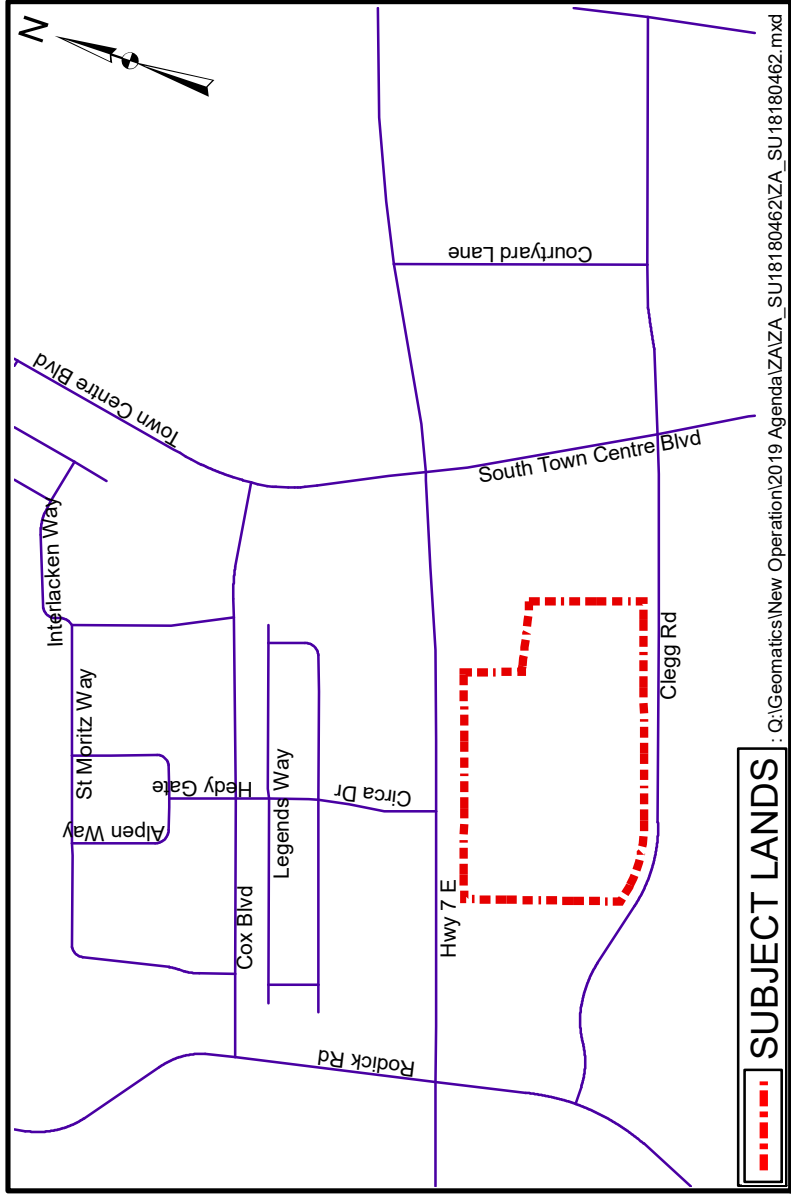
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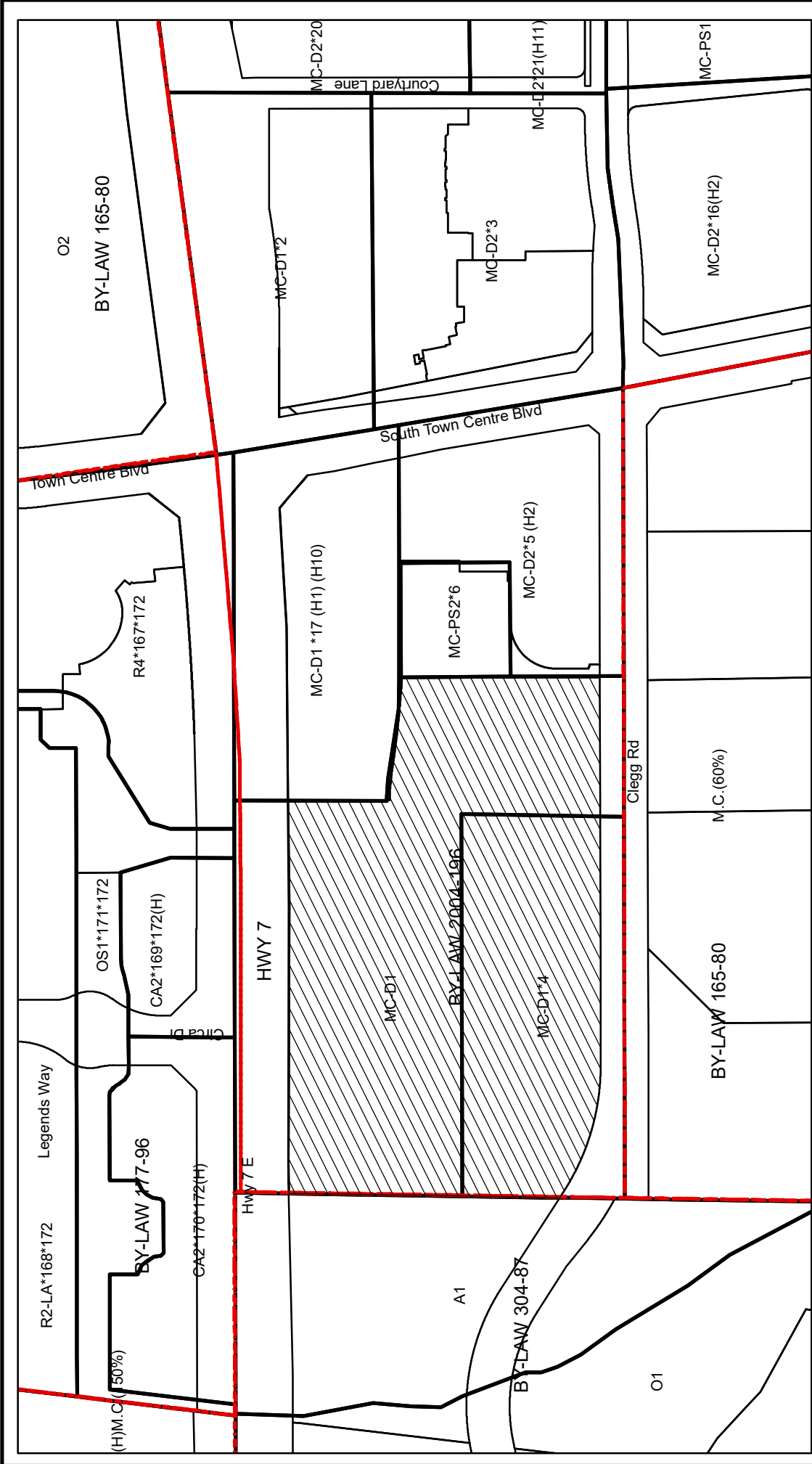
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SUBJECT LANDS



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AREA CONTEXT/ZONING

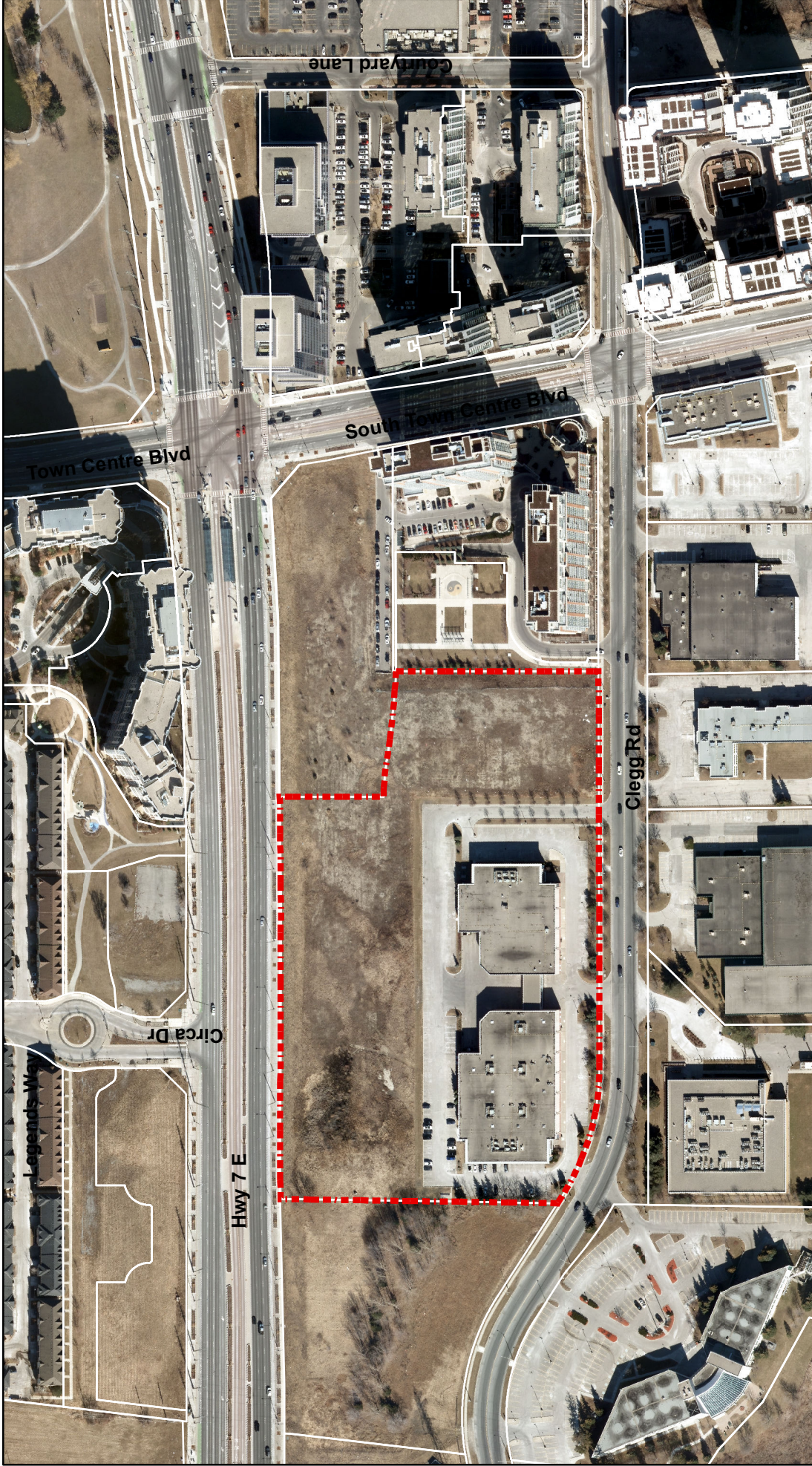
APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION
 100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD)



SUBJECT LANDS

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AIR PHOTO 2018

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

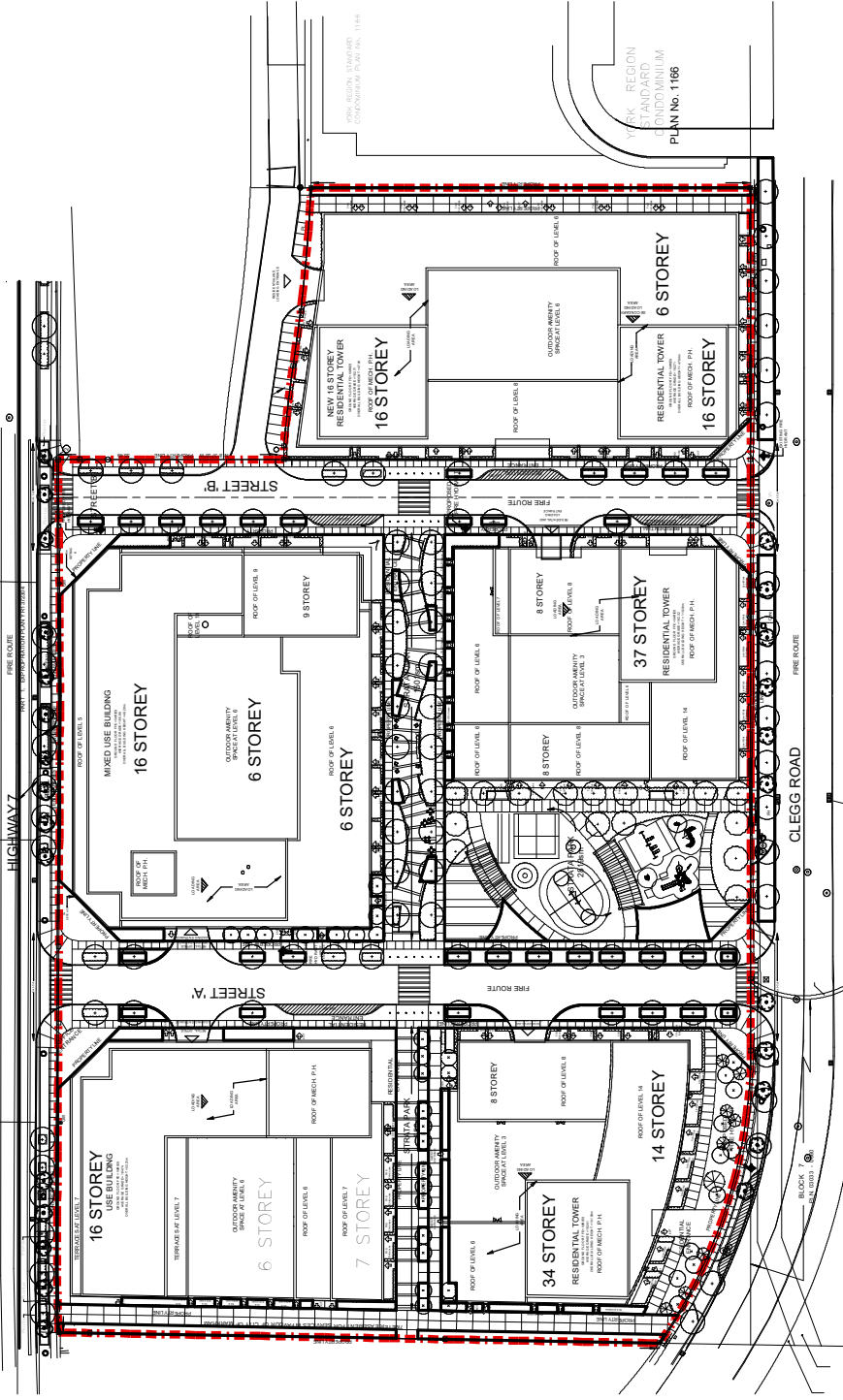
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THE KINGS HIGHWAY No. 7



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SITE PLAN

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD)



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AERIAL PERSPECTIVE

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION
100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

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PERSPECTIVE VIEWED FROM HIGHWAY 7

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION
100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

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PERSPECTIVE VIEW FROM INTERIOR OF SITE

APPLICANT: NEW WORLD CENTRE (MARKHAM) DEVELOPMENT CORPORATION

100-110 CLEGG ROAD (SOUTH SIDE OF HIGHWAY 7 WEST OF SOUTH TOWN CENTRE BLVD.)

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